

LANDMARK ACADEMY AT REUNION

Admission and Enrollment Policy

Admission to the school shall be open to all age-appropriate children for grade levels offered in accordance with the school's charter contract without charge for tuition and without discrimination on the basis of intellectual or athletic abilities, measures of achievement or aptitude, disability, status as a handicapped person, homeless status, English proficiency, religion, creed, race, sex, color, national origin or any other basis that would be illegal for an existing school district. Admission shall comply with all applicable federal and state laws. Admission shall be limited to those students who are residents of the state, except a foreign exchange student.

The school will remove barriers to the enrollment and retention in school of children and youth experiencing homelessness by developing and implementing practices and procedures consistent with the McKinney-Vento Homeless Education Assistance Act and applicable state law. The school will ensure that all identified homeless children and unaccompanied youth receive a free and appropriate education and are given meaningful opportunities to succeed in the school.

It is the policy of the Board that its educational service provider develop and implement practices and procedures that control the admission and enrollment of students, including public notice and random selection to be used when the number of applicants exceed the number of available spaces for grades offered. Detailed application, random selection and admission practices and procedures shall be available to parents and the general public at the school office. The Board will annually approve offered seats and maximum class size of the school.

References:

US Constitution, Fourteenth Amendment
Title IX of Education Amendments Act (20 USC 1681 et. seq.)
The Civil Rights Act of 1964
The McKinney-Vento Homeless Education Assistance Act (42 USC §11434a[2])
Rehabilitation Act of 1973 (29 USC 791 et. seq.)
Equal Educational Opportunity Act of 1974 (20 USC 1703 et. seq.)
The Americans with Disabilities Act of 1990 (42 USC 12101 et. seq.)
Colorado Charter Schools Act (C.R.S. §22-30.5-101 et. seq.)
National Heritage Academies Admissions and Enrollment Practices & Procedures
National Heritage Academies Homeless Child Practices & Procedures

Effective Date: January 11, 2011

Addition to the Admission and Enrollment Policy

The following language will be added to the Waiting List section of the Admission and Enrollment Policy and is for clarification and documentation purposes only, and is not an added procedure.

“When a seat becomes available in a particular grade due to attrition, erosion, or other event, if that particular grade has a waiting list, that available seat will be filled by the first student on the waiting list for that particular grade. If a waiting list does not exist for that particular grade, but exists for another grade, the school may (subject to applicable enrollment limits and board approved offered seats) fill the available seat using the first student on the waiting list in a different grade, the grade deemed most beneficial to student and school considering class size, teacher capacity, and other school operational factors.”

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The school will comply with all applicable federal and state laws related to admissions and enrollment.

Non-Discrimination

The school will not discriminate on the basis of intellectual or athletic abilities, measures of achievement or aptitude, disability, status as a handicapped person, homeless status, English proficiency, religion, creed, race, sex, color, national origin or any other basis that would be illegal for an existing public school.

Open Enrollment Period and Notice

The “**Open Enrollment Period**” for the first year of operation will be determined prior to June 30 by the NHA Admissions Department and included in the notice of Open Enrollment. In all subsequent years, the Open Enrollment Period is from the first day of school of the current school year until 5:00 p.m. on the last day of business in February of the current school year. Notice of the Open Enrollment Period and application process will be designed to inform the persons most likely to be interested in the school.

National Heritage Academies (NHA) and/or the school will provide notice of Open Enrollment on its website and by (a) printing a legal notice of the enrollment period in a local newspaper of general circulation; (b) mailing a written notice of the Open Enrollment Period and an application to all families who inquire about school enrollment; and (c) posting a written notice of the Open Enrollment Period at the school. In addition, notice may also be provided by airing a public service announcement on local television.

As part of the enrollment process, the school staff will communicate or meet with families, parents/guardians and students prior to the first day of school.

Application Procedures

Interested parties may obtain applications at:

- The school’s website
- The offices of the school
- The service center of NHA at 3850 Broadmoor SE, Suite 201, Grand Rapids, MI 49512 or by calling 866-NHA-ENROLL from 8:00 a.m. to 5:00 p.m. EST.

Applications will be mailed, emailed or faxed to anyone requesting an application by telephone.

Applications for the current school year will be accepted until the end of the current school year and available seats will be filled. Applications for the subsequent school year are received during and after the Open Enrollment Period. If applications received during the Open Enrollment Period exceed offered seats in any grade level (“over-subscribed grades”), a random selection process will take place for all affected grade levels. If applications received are fewer than offered seats in each and every grade level (“under-subscribed grades”), all eligible applicants will be accepted and a random selection process will not be conducted.

All applications received after the Open Enrollment Period will not be eligible to participate in the random selection process, and will be added to the end of the accepted list if offered seats are still available after the random selection process, or to the resulting waiting list created at the time of the random selection process.

Prior to the start of school, accepted applicants must confirm their intent to attend the school within four weeks of acceptance by returning certain initial forms, including an Admissions Form, Official Release of Records Form, and Proof of Residency documentation. The school will send letters to parents/guardians reminding them of this obligation in order to enroll their child. The school will send all applicants a postcard to inform parents/guardians that if the student does not attend the first day of

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school or call in to request an excused absence by the date and time indicated, the student will forfeit his/her registered status in the school and will not be enrolled. The school may attempt to call all applicants who have not responded to inquire whether the applicant is still planning to attend.

Once students are enrolled and remain enrolled, they will remain eligible to be re-enrolled at the school for successive years without having to re-enter the random selection process. However, they will be requested to complete a re-enrollment form by the end of the Open Enrollment Period showing intent to re-enroll for the subsequent school year. All applicants on a waiting list must re-submit an application for the following school year during the next Open Enrollment Period.

Random Selection Process

The random selection process shall be open to the public, and the school will notify all applicants of the time and place. A neutral third party person will be present during the random selection process. This person will not be related to any student, staff member, board member, anyone applying to the school, or an NHA employee. Names will be randomly selected until all offered seats have been filled. Any remaining names will be randomly selected to establish waiting list priority used to fill available offered seats prior to and during the school year for which the student applied. After all eligible names have been randomly selected, the school will add the names of applicants who submitted applications after the Open Enrollment Period in the order in which they were received. The random selection process is open to the public and will be video recorded. In the event of any discrepancy, the video recording will be the official record of placement of students.

Class Size and Offered Seats

Class size and offered seats will be recommended by NHA and submitted to the school board of directors for approval. In order to make provision for student attrition (reenrolling students who indicate that they are coming back but do not return on the first day of school) and erosion (new students who have been accepted for offered seats but are absent without excuse on the first day of school), the school may over-subscribe grades. The number of students to be over-subscribed will be determined based on historical and forecasted attrition and erosion. In addition, the number of classrooms may fluctuate in the event the number of students enrolled warrants the increase or decrease in number of classrooms. In no event will over-subscription, or fluctuations in the number of classrooms result in a violation of any provision or limit contained within the school's charter contract or applicable law.

Enrollment Preferences

Enrollment preference is first given to currently enrolled students. Next preference is given to the following ordered categories of applicants (whether district residents or not):

- Children of then serving school board members
- Children of founding families
- Children of employees teachers of the school, NHA, or other affiliated entities who perform substantial services at the school
- Previously enrolled students whose parent or guardian currently serves or served in the U.S. military who was transferred out of the area
- Siblings of currently enrolled students
- Siblings of students selected in the random selection process

Next preference is then given to:

- Applicants residing in School District 27J
- Applicants not residing in School District 27J

If permitted by law, other enrollment preferences may be granted. If a student is selected for a grade level that still has offered seats available and the student has a sibling applying for a grade that no longer has offered seats available, the student will be accepted for his/her grade level and the

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student's sibling will be placed on the waiting list for his/her grade level with sibling preference. Therefore, while sibling preference applies, siblings are not guaranteed a seat.

Procedural Steps

Step 1: Setup

A list with the name of each student who submitted an application during the Open Enrollment Period will be created. The list will include, but not be limited to, the student's name, birth date, grade level to which the student is applying, street address, and names and grade levels of any siblings who are also applying for admission to the school.

Step 2: Admission of Applicants Applying for Under and Over-Subscribed Grades

A neutral third-party person (as previously described) will perform a random selection of the names of each applicant. Any under-subscribed grades will be considered before the over-subscribed grades in descending order. After all under-subscribed grades have been identified, the order of the over-subscribed grades will be randomly selected. Once the grade order has been established, randomly selected students will be placed in available seats or on the waiting list in the applying grade if an offered seat is not available. If the selected student is accepted and has siblings who are also applying for admission, the siblings will be accepted if there are offered seats available or placed on the waiting list with sibling preference if offered seats are not available. If the selected student is placed on the waiting list and has siblings who are also applying, the siblings' names will not be selected at this time or granted sibling preference, but will wait until their grade level is selected.

Step 3: Waiting List Priority

Students will continue to be randomly selected until all names are selected. After a grade level's seats are full, all remaining names will be placed on the waiting list in the order in which they are selected. Applications received after the Open Enrollment Period will be added to the end of the waiting list for the appropriate grade in the order in which they were received.

When a seat becomes available in a particular grade due to attrition, erosion, or other event, if that particular grade has a waiting list, that available seat will be filled by the first student on the waiting list for that particular grade. If a waiting list does not exist for that particular grade, but exists for another grade, the school may (subject to applicable enrollment limits and board approved offered seats) fill the available seat using the first student on the waiting list in a different grade, the grade deemed most beneficial to student and school considering class size, teacher capacity, and other school operational factors.

Appeals

Any parent or guardian may contest or appeal the random selection process, in writing, to the school's board of directors. Following receipt of the parent's/guardian's written appeal, a school board designee will contact the parent/guardian to discuss the nature of the concern or objection. Final decisions will be made by the school board or its designee.

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Homeless Child	Karen Hannant Curriculum & Instruction	OP – 334
Date last updated: July 11, 2018		

1. PURPOSE

To remove barriers to the enrollment and retention in school of children and youth experiencing homelessness in compliance with the McKinney-Vento Homeless Education Assistance Act (42 U.S.C. §11301 et seq.) ("McKinney-Vento Act").

2. PRACTICE

The school will adhere to the provisions of the McKinney-Vento Act and applicable state requirements to ensure that all identified Homeless Children and Unaccompanied Youth enrolled in or being considered for enrollment in the district receive a free and appropriate education and meaningful opportunities to succeed in the school. This includes identified Homeless children eligible for pre-kindergarten programming.

Definitions

“Homeless Child” - a child who does not have a fixed, regular, and adequate nighttime residence or whose primary nighttime location is in a public or private shelter designated to provide temporary living accommodations, or a place not designed for, or ordinarily used as regular sleeping accommodations for human beings. This definition includes a child who is:

- sharing the housing of other persons due to loss of housing, economic hardship or similar reason (sometimes referred to as double-up);
- living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- living in a car, park, public space, abandoned building, substandard housing, bus or train stations or similar settings;
- abandoned in hospitals;
- a migratory child who qualifies as homeless because he or she is living in circumstances described above; or
- an Unaccompanied Youth.

“School of Origin” – the public school, including a preschool or a charter school, the child attended when permanently housed or the school in which the child was last enrolled. When the child completes the final grade, level served by the School of Origin, this definition shall include the designated receiving school at the next grade level.

“Unaccompanied Youth” - a youth not in the physical custody of a parent or guardian who meets the definition of homeless.

3. APPLICABILITY

This document applies to all National Heritage Academies (NHA) schools.

4. RESPONSIBILITY

4.1 The school principal will designate a local homeless Liaison (“Liaison”). The Liaison’s name and role will be posted in the front office and updated as necessary.

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4.2 The Liaison will serve as one of the primary contacts between homeless families and school staff, district personnel, shelter workers, state coordinators for Homeless Children, public and private service providers in the community, housing and placement agencies, and other service providers.

4.3 The Liaison will ensure that:

- Homeless Children are identified by school personnel and through coordination activities with other entities and agencies;
- Ensure that Homeless Children are immediately enrolled in and have full and equal opportunities to succeed in the school;
- Ensure that Homeless Children and their families receive eligible educational services;
- Make referrals to housing, health, mental health, dental, and other services;
- Inform parents/guardians of educational and related opportunities available to their children;
- Inform Unaccompanied Youths of their status as independent students under section 480 of the Higher Education Act of 1965 and their right to receive verification of this status;
- Provide parents/guardians with meaningful opportunities to participate in their child’s education;
- Inform parents/ guardians and Homeless Children of all transportation services, and assist them in accessing these services;
- Clearly communicate all required information in a form, manner, and language that is understandable;
- Ensure proper mediation of enrollment disputes according to the McKinney-Vento Act and complaint procedures;
- Assist the requestor in commencing an appeal pursuant to applicable law;
- Disseminate public notice of the educational rights of Homeless Children;
- Conduct annual training for school personnel on possible indicators of homelessness, sensitivity in identifying Homeless Children, and procedures for reporting to the Liaison; and
- Record *myNHA* information in coordinator with the registrar;

5. PROCEDURES

5.1 Identification

The school has an affirmative obligation to identify students in temporary housing. The Liaison, in collaboration with school personnel and community organizations, will identify Homeless Children, both in and out of school. Community organizations may include family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments and other social service agencies, street outreach teams, faith-based organizations, truancy and attendance officers, local homeless coalitions, and legal services.

The Liaison must use the Student Residency Questionnaire (“SRQ”) upon enrollment of any student and all students whose address changes during the school year, and the provided response must clearly describe current living arrangements of the child to determine whether the child meets the definition of a Homeless Child. Upon the receipt of an SRQ indicating potential homelessness, the Liaison will implement this practices and procedures document and ensure adherence with federal, state and NHA requirements.

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New York schools only: Upon determination of appropriate school selection, the parent (or Liaison if no parent is available) will complete the New York STAC-202 form, following the instructions contained therein. Upon receipt of the STAC-202 form, the Liaison will forward the form to the New York Office of STAC & Special Aids Unit (New York State Education Department, Room 415, Education Building, Albany, NY 12234), Intervention Services at the NHA Service Center, and keep a copy in the school's records.

5.2 School Selection

Homeless Children have the right to remain at their School of Origin or to attend any school in the attendance area in which students are actually living. After a child becomes permanently housed, the child has the right to remain enrolled in, and continue receiving transportation to the school of origin for the duration of homelessness, through the remainder of the school year in which the student becomes permanently housed, and possibly an additional year if it is the student's terminal grade;

If the parent/guardian agrees, Homeless Children will remain at their School of Origin to the extent it aligns with the best interests of the child. Homeless Children may remain at their School of Origin the entire time they are in transition and until the end of any academic year in which they become permanently housed. The same applies if they lose their housing between academic years.

Best interest of the child is a child-centered determination, based on the needs and interests of the particular child and the parent/guardian or child's wishes. It must be presumed that keeping the child in the School of Origin is in the child's best interest, except when doing so is contrary to the request of the child or parent/guardian. Services that are required to be provided, including transportation and services under federal and other programs, shall not be considered in determining best interest. Best interest of the child considerations may include the impact of mobility on:

- Achievement
- Education
- Health
- Safety

If, after weighing these considerations, the liaison determines it is not in the Homeless Child's best interest to attend their School of Origin, the Liaison must provide the parent, guardian, or Unaccompanied Youth with a written explanation of the reasons for its determination and outlining the right to appeal.

The written explanation should include:

- A description of the action proposed or refused by the school;
- An explanation of why the action is proposed or refused;
- The reasons why any other options were rejected;
- A description of any other factors relevant to the school's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources;
- Appropriate timelines to ensure any relevant deadlines are not missed including notice that families and students have 30 days to appeal; and
- Contact information for the local liaison and State Coordinator, and a brief description of the roles.

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5.3 Enrollment

The school selected for enrollment must immediately enroll any Homeless Child. Unaccompanied Youth may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling, or the Liaison. Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, (i.e. previous academic records, records of immunization, proof of residency, proof of guardianship, birth certificates), any unpaid school fees, lack of uniforms or clothing that conforms to the school’s dress code or any factor related to the child’s living situation.

The school will coordinate the transfer of school records with other districts and contact the child’s previous school to obtain school records. Initial placement of a child whose records are not immediately available will be made based on the child’s age and information gathered from the child, parent, and previous schools or teachers. If no immunization records are available, the school office will refer students to the Liaison to assist with obtaining these records from state registries and/or community-based clinics.

The school will excuse any tardiness or absence related to a Homeless Child’s living situation when applying any school policy regarding tardiness or absences.

5.4 Services

The school must provide Homeless Children services, for which they meet the relevant criteria, comparable to services offered to other students in the school, including but not limited to:

- Transportation;
- Title I;
- Educational services for which the student meets eligibility criteria, including special education and related services and programs for English language learners;
- School nutrition programs (the school will provide free meals to the Homeless Child as all Homeless Children are automatically eligible for free meals);
- Vocational and technical education programs;
- Gifted and talented programs;
- Before- and after-school programs; and
- Other extra-curricular activities

Transportation

The Liaison will coordinate transportation arrangements, which may include arrangements with the social service district. The school must provide the transportation for the entire time the child has a right to attend that school, as defined above, including during pending disputes. The length of the commute will only be considered when making the *best interest of the child* determination in regards to potential harm to the child (New York Only: or up to 50 miles each way, even if such services are not available to student who are permanently housed).

Prior to selection of a school, the Liaison will inform the parent/guardian or Unaccompanied Youth of this right to transportation. Transportation disputes will not result in a Homeless Child missing school. If such a dispute arises, the school will arrange transportation and immediately bring the matter to the attention of the state authorities following the appropriate complaint procedures as detailed in this document.

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Transportation is provided at a parent/guardian's or Unaccompanied Youth's request to the school of origin for students who are homeless, including preschool students if applicable, for the duration of homelessness, through the remainder of the school year in which the student becomes permanently housed, and possibly an additional year if it is the student's terminal grade.

Transportation is provided for students who are homeless to participate in extra-curricular activities and summer school if the lack of transportation poses a barrier.

Title I

Homeless Children are automatically eligible for Title I services and remain eligible after becoming permanently housed for the remainder of the school year. The school will reserve the necessary funds to provide services comparable to those provided to Title I students attending non-participating schools, including education related support services and removing barriers that prevent attendance as necessary through the provision of additional reasonable services after other funding sources have been exhausted. The Liaison and the Title I director at the NHA Service Center will develop the formula (based upon the per-pupil Title I expenditures) to use for determining the necessary funds to reserve.

The Title I director and the Liaison will ensure coordination between the Title I plan and the McKinney-Vento Act, including the academic assessment, reporting and accountability systems required by federal law and the U.S. Department of Education.

Educational Services

The school shall give evaluations of Homeless Children suspected of having a disability priority and coordinate the evaluation with the student's prior and subsequent schools, as necessary, to ensure timely completion of a full evaluation. When necessary, the school will expeditiously designate a surrogate parent for Unaccompanied Youth suspected of having a disability. The school will immediately implement the child's Individualized Education Program (IEP), if available, and promptly conduct any necessary IEP meetings or re-evaluations. If complete records are not available, IEP teams will use good judgment in choosing the best course of action, balancing procedural requirements and the provision of services in an attempt to avoid any disruption in services.

Beginning in the 2017-2018 school year, and continuing thereafter, each NHA school's annual report card must include information on student achievement regarding State assessments, disaggregated by student status, to include students who are homeless, in foster care, and students with parents serving on active duty within the armed forces (ESEA Section 1111(h)(1)(C)(ii).

5.5 **Complaint and Dispute Resolution**

The following steps and procedures should take place in resolving disputes regarding enrollment, school placement, or services.

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Complaint

- A complaint is an oral or written and signed statement alleging the violation of a federal or state law, rule, or, regulation. The complaint must allege a violation that occurred not more than one (1) year prior to the date that the complaint is received, unless a longer period is reasonable because the violation is considered systemic or ongoing.
- Parents, teachers, administrators, or other concerned individuals or organizations may file a complaint (“Complainant”). Faculty and staff with knowledge of a complaint must refer the Complainant to the Liaison.
- The Complainant may submit the complaint in writing to the Liaison, using the attached Complaint Resolution Initiation Form. The Complainant may choose to initiate the complaint orally.

Role of School

- Immediately enroll the child in the school preferred by the person(s) bringing the complaint.
- Provide all educational services the child is eligible for, pending resolution of the dispute.

Role of Liaison

- After receipt of the complaint, the Liaison must provide a written explanation of the school placement decision and/or provided services to the Complainant and discuss the complaint with the Complainant. The Liaison must provide a written proposed resolution or a plan of action to the Complainant within five (5) days of receipt of the complaint, or within seven (7) business days of notification of dispute (Georgia only).
- If the Liaison does not resolve the dispute, the Complainant may forward it to the school principal. The Liaison must provide a written resolution to the parties within five (5) days of the discussion with the principal, or within ten (10) business days of the second dispute (Georgia only). The Complainant has a right to obtain assistance from advocates or attorneys in addressing a complaint.
- The Liaison will carry out the dispute resolution in an expeditious manner and will provide the Complainant these written procedures, including the appeal procedures outlined below.
- In the event the school is unable to resolve the complaint, the Complainant may pursue the applicable appeal procedure(s).

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Appeal Procedures – Colorado

If the dispute is not resolved at the school level, the Liaison will assist the Complainant in contacting a mediator from the Colorado Mediator Resource Network (services at no charge to the Complainant) or may direct the Complainant to the Colorado Department of Education (CDE).

Address the complaint to the following address:

- State Coordinator for the Education of Homeless Children and Youth, Colorado Department of Education, State Office Building, 201 East Colfax Avenue, Denver, Colorado 80203-1799.

Use the Colorado Dispute Resolution Form during the appeal process.

The complaint should include:

- the name, address, and telephone number of the person filing the appeal;
- the relationship or connection of the person to the child in question;
- the name and age of the child involved;
- the name of the school and school personnel involved in the complaint;
- a description of how the School violated the McKinney-Vento Act;
- the date on which the violation occurred;
- the federal requirement alleged to have been violated;
- a description of the situation that prompted the complaint;
- a description of the attempts that were made to solve the issue;
- contact information for the Liaison and potential witnesses;
- supporting documentation; and
- the relief the person is seeking.

If the State Coordinator is unable to resolve the complaint within 15 business days, the Complainant may file a written complaint to the State Coordinator who, with a team, will review the complaint with the mandates of the Title X law. Within 15 days of receipt of the complaint, the Coordinator will issue a written decision to the parties via mail.

Appeal Procedures – Georgia

If the dispute is not resolved at the school level, the Complainant may direct the complaint to the Georgia Department of Education state homeless coordinator. The Liaison may assist the Complainant in contacting the Department. The complaint may be made either in writing or submitted electronically through the Department's online complaint process.

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Address the complaint to the following address:

- Georgia Department of Education, Legal Services Division,
2052 Twin Towers East, 205 Jesse Hill, Jr. Drive, SE, Atlanta, Georgia 30334

The complaint should include:

- the name, address, and telephone number of the person filing the appeal;
- the relationship or connection of the person to the child in question;
- the name and age of the child involved;
- the name of the school and school personnel involved in the complaint;
- a description of how the School violated the McKinney-Vento Act;
- the date on which the violation occurred;
- the federal requirement alleged to have been violated;
- a description of the situation that prompted the complaint;
- a description of the attempts that were made to solve the issue;
- contact information for the Liaison and potential witnesses;
- supporting documentation; and
- the relief the person is seeking.

Appeal Procedures – Indiana

If the dispute is not resolved at the school level, the Complainant may direct the complaint to the Indiana Department of Education (IDOE). Complaints made under this process must be in writing and signed by the Complainant.

If the complaint involves enrollment or school placement of homeless children, address the complaint to the following address:

- Indiana McKinney-Vento Homeless Education State Coordinator, Indiana Department of Education, 115 W. Washington Street South Tower, Suite 600, Indianapolis, Indiana 46204.

The complaint should include:

- the name, address, and telephone number of the person filing the appeal;
- the relationship or connection of the person to the child in question;
- the name and age of the child involved;
- the name of the school and school personnel involved in the complaint;
- the federal requirement alleged to have been violated;
- a description of the situation that prompted the complaint;
- a description of the attempts that were made to solve the issue;
- supporting documentation; and
- the relief the person is seeking.

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The IDOE will issue a letter of acknowledgement to the Complainant and the Liaison containing, among other things, the IDOE’s commitment to issue a resolution in the form of a *Letter of Findings*.

An IDOE complaint investigator will conduct an independent review of all relevant information and issue the *Letter of Findings* to the Complainant within thirty (30) days of receipt of a complaint, absent exceptional circumstances.

Appeal Procedures – Louisiana

If the dispute is not resolved at the school level, the Liaison will assist the Complainant in contacting the local (EBR) Liaison for assistance with the appeal process. In the event the dispute is not resolved at the (EBR) Liaison level, the Complainant may contact the State Coordinator to hear an appeal of the Local (EBR) Liaison’s decision.

Address the complaint to the following address:

- State Coordinator – Homeless Education, Louisiana Department of Education, Office of School & Community Support, P.O. Box 94064, Baton Rouge, Louisiana 70804.

The complaint should include:

- the name, address, and telephone number of the person filing the appeal;
- the relationship or connection of the person to the child in question;
- the name and age of the child involved;
- the name of the school and school personnel involved in the complaint;
- the federal requirement alleged to have been violated;
- a description of the situation that prompted the complaint;
- a description of the attempts that were made to solve the issue;
- supporting documentation; and
- the relief the person is seeking.

The DOE will acknowledge receipt of the complaint in writing to the Complainant and provide written resolution of the complaint within 60 days of the date the DOE receives the complaint. The decision will include a breakdown of the findings, the reasons for the final decision, and the Complainants right to request the Secretary of the U.S. Department of Education to review the final decision of the DOE, at the Secretary’s discretion.

Appeal Procedures – Michigan

If the dispute is not resolved at the school level, the Complainant may direct the complaint to the Michigan Department of Education. Complaints made under this process must be in writing and signed by the Complainant. The complaint may be submitted electronically or mailed to the address listed out below.

Address the complaint to the following address:

- State Coordinator for Homeless Education, Michigan Department of Education, Office of Field Services, Special Populations Unit, P.O. Box 30008, Lansing, MI 48909.

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The complaint should include:

- the name, address, and telephone number of the person filing the appeal;
- the relationship or connection of the person to the child in question;
- the name and age of the child involved;
- the name of the school and school personnel involved in the complaint;
- the federal requirement alleged to have been violated;
- a description of the situation that prompted the complaint;
- a description of the attempts that were made to solve the issue;
- supporting documentation; and
- the relief the person is seeking.

The State Homeless Coordinator will gather needed information from statements of the parties involved and will forward the information within five (5) school days to three regional McKinney-Vento staff.

Within five (5) school days the regional staff will review the documentation and use the MDE Dispute Review Form to submit a summary, concerns, and recommendations to the State Coordinator.

Within two (2) school days of receiving the regional reviews, the State Coordinator will render a decision and notify the Complainant.

If the complaint is not resolved in a satisfactory manner by the State Coordinator, the final appeal shall be directed to the OFS Special Populations Manager by the Complainant. Appeals under this process must be made in writing and signed by the Complainant.

Within five (5) school days after receiving the regional reviews, the OFS Special Populations Manager will render a final decision and notify the Complainant. There are no federal level appeals for McKinney-Vento disputes through USDOE.

Appeal Procedures – North Carolina

If the dispute is not resolved at the school level, the Complainant may direct the complaint, orally or written, to the North Carolina Department of Public Instruction.

Address the complaint to the following address:

- State Coordinator for Homeless Education, National Center for Homeless Education, SERVE Center at UNCG, 5900 Summit Avenue, Ste. 201, Browns Summit, NC 27214.

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The complaint should include:

- the name, address, and telephone number of the person filing the appeal;
- the relationship or connection of the person to the child in question;
- the name and age of the child involved;
- the name of the school and school personnel involved in the complaint;
- the federal requirement alleged to have been violated;
- a description of the situation that prompted the complaint;
- a description of the attempts that were made to solve the issue;
- supporting documentation; and
- the relief the person is seeking.

The Liaison will provide the State Homeless Coordinator with any information that the State Homeless Coordinator requests regarding the issues presented in the appeal.

The State Homeless Coordinator will provide the school and the Complainant the opportunity to respond to any decision made and to provide any additional evidence the Complainant deems relevant.

Within 10 schools days following receipt of the complete appeal, the State Coordinator shall issue a final written decision to the school and the Complainant.

Appeal Procedures – New York

DISPUTE RESOLUTION PROCESS

The school has established the following procedures for the prompt resolution of disputes regarding school selection or enrollment of a homeless child or youth:

- The school will provide a written explanation, including a statement regarding the right to appeal, to the parent or guardian of a student in temporary housing, or to an unaccompanied youth if the school determines that the school is not required to either enroll and/or transport such child or youth to the school of origin or a school requested by the parent or guardian or unaccompanied youth, or if there is a disagreement about a child's or youth's status as a homeless child or unaccompanied youth. The written explanation will be in a manner and form understandable to such parent, guardian, or unaccompanied youth and will include a statement regarding the McKinney-Vento liaison's availability to help the parent, guardian, or unaccompanied youth with any appeal and the contact information for the liaison.
- The school will immediately enroll the student in the school in which enrollment is sought by the parent or guardian or unaccompanied youth, provide transportation to the school, and will delay for 30 days the implementation of a final determination to decline to either enroll in and/or transport the student in temporary housing to the school of origin or a school requested by the parent or guardian or unaccompanied youth.

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- If the parent or guardian of a student in temporary housing or unaccompanied youth commences an appeal to the Commissioner within 30 days of such final determination, the student will be permitted to continue to attend the school he or she is enrolled in at the time of the appeal and/or receive transportation to that school pending the resolution of all available appeals.

MCKINNEY-VENTO LIAISON’S DISPUTE RESOLUTION RESPONSIBILITIES

The school’s McKinney-Vento liaison must assist the student in temporary housing’s parent or guardian or unaccompanied youth in bringing an appeal to the Commissioner under Education Law §310 of a final school district decision regarding enrollment, school selection and/or transportation. In the event of a dispute regarding eligibility, enrollment, school selection, and/or transportation, the school’s McKinney-Vento liaison will:

- provide the parent or guardian or unaccompanied youth with a copy of the form petition, which is available at: <http://www.counsel.nysed.gov/appeals/homelessForms>;
- assist the parent or guardian or unaccompanied youth in completing the form petition;
- arrange for the copying of the form petition and supporting documents for the parent or guardian or unaccompanied youth, without cost to the parent or guardian or unaccompanied youth;
- accept service of the form petition and supporting papers on behalf of any school district employee or officer named as a party or the school district if it is named as a party or arrange for service by mail by mailing the form petition and supporting documents to any school district employee or officer named as a party and, if the school district is named as a party, to a person in the office of the superintendent who has been designated by the board of education to accept service on behalf of the school district;
- provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgment verifying that the McKinney-Vento liaison has received the form petition and supporting documents and will either accept service of these documents on behalf of the school district employee or officer or school district or effect service by mail by mailing the form petition and supporting documents to any school district employee or officer named as a party and, if the school district is named as a party, to a person in the office of the superintendent who has been designated by the board of education to accept service on behalf of the school district;
- transmit on behalf of the parent or guardian or unaccompanied youth, within five days after the service of, the form petition or any pleading or paper to the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234;
- provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgement verifying that the McKinney-Vento liaison has received the form petition and supporting documents and will transmit these documents on behalf of the parent, guardian or unaccompanied youth to the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234;

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- accept service of any subsequent pleadings or papers, including any correspondence related to the appeal, if the parent or guardian or unaccompanied youth so elects. The liaison must also make such correspondence available to the parent or guardian or unaccompanied youth; and
- maintain a record of all appeals of enrollment, school selection, and transportation determinations.

Appeal Procedures – Ohio

If the dispute is not resolved at the school level, the Complainant may direct the complaint to the Ohio Department of Education. Complaints made under this process must be in writing and signed by the Complainant.

Address the complaint to the following address:

- Homeless Education Coordinator, Ohio Department of Education, 25 S. Front Street, Mail Stop 404, Columbus, Ohio 43215.

The complaint should include:

- the name, address, and telephone number of the person filing the appeal;
- the relationship or connection of the person to the child in question;
- the name and age of the child involved;
- the name of the school and school personnel involved in the complaint;
- the federal requirement alleged to have been violated;
- a description of the situation that prompted the complaint;
- a description of the attempts that were made to solve the issue;
- supporting documentation; and
- the relief the person is seeking.

The Homeless Education Coordinator will recommend a decision to the Complainant and the Liaison. If unresolved, the Complainant may file a final appeal to the State Superintendent of Public Instruction for review and disposition.

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1. PURPOSE

To promote the educational stability of students in placed in Foster Care by working with students, their designated caregivers, and local child welfare agencies, or at the state level in compliance with Every Student Succeeds Act ("ESSA").

2. PRACTICE

The school will adhere to the provisions of ESSA to ensure the educational stability of all identified children in Foster Care by working with students, their designated caregivers, and local child welfare agencies to determine the educational placement that is in the best interest of the student, and by providing transportation and other services consistent with applicable state laws and regulations.

Definitions

“Foster Care” – refers to 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.

“School of Origin” - the school the child attended when permanently housed or the school in which the child was last enrolled. When the child completes the final grade level served by the School of Origin, this definition shall include the designated receiving school at the next grade level.

“Additional Cost” – refers to the difference between between what an LEA would otherwise spend to transport a child to his or her assigned school and the cost of transporting a child in foster care to his or her school of origin.

3. APPLICABILITY

This document applies to all National Heritage Academies (NHA) schools.

4. RESPONSIBILITY

4.1 The school The Liaison, in collaboration with the Child Welfare Agency (“CWA”), will serve as one of the primary contacts in between foster families, school staff, and district personnel.

4.2 The principal will designate a local Foster Care Liaison (“Liaison”).

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4.3 The Liaison will:

- Collaborate with local CWA to ensure children in Foster Care are immediately enrolled
- Document and attend the Best Interest Determination
- Facilitate the immediate transfer of records for all children in Foster Care
- Ensure that children in Foster Care have full and equal opportunities to succeed in the school;
- Ensure that children in Foster Care and their families receive eligible educational services;
- Track attendance and progress of children in Foster Care;
- Inform foster parents/ guardians and children in Foster Care of all transportation services, and assist them in accessing these services;
- Clearly communicate all required information in a form, manner, and language that is understandable;
- Ensure proper mediation of enrollment disputes in accordance with state guidance and complaint procedures;
- Conduct annual training for school personnel on Title I Provisions and educational needs of children in foster care; and
- Record *myNHA* information in collaboration with office staff;

5. PROCEDURES

5.1 Identification

It is the role of the CWA to notify the school within one (1) school day of a child being placed in Foster Care. During the enrollment process, if students in Foster Care are enrolled, the Liaison will contact the appropriate CWA to ensure open communication takes place regarding the needs of the student.

5.2 School Selection

Children and youth in Foster Care have the right to remain at their School of Origin or to attend any school that houses students who live in the attendance area in which they are actually living. After a child exits Foster Care, if it is determined to be in the child's best interest, the child has the right to remain enrolled in, and continue receiving transportation to the School of Origin for the remainder of the academic year during which the child exits Foster Care.

Children and youth in Foster Care will remain at their School of Origin to the extent it aligns with the best interests of the child. Children and youth in Foster Care may remain at their School of Origin the entire time they are in Foster Care and until the end of any academic year in which they exit Foster Care. The same applies if they enter Foster Care between academic years.

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Best interest of the child is a child-centered determination, based on the needs and interests of the particular child and the parent/guardian or child's wishes. It must be presumed that keeping the child in the School of Origin is in the child's best interest, except when doing so is contrary to the request of the child or foster parent/guardian. Services that are required to be provided, including transportation and services under federal and other programs, shall not be considered in determining best interest. Best interest of the child considerations may include the impact of mobility on:

- Achievement
- Education
- Health
- Safety

It is the role of the CWA to form a committee for the Best Interest Determination and initiate communication to the appropriate parties. At the conclusion of the Best Interest Determination, the Liaison, in collaboration with the CWA, must provide the parent or guardian with a written explanation of the reasons for its determination and outline the right to dispute the decision.

The written explanation should include:

- A description of the action proposed or refused by the committee;
- An explanation of why the action is proposed or refused;
- The reasons why any other options were rejected;
- A description of any other factors relevant to the committee's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources;
- Appropriate timelines to ensure any relevant deadlines are not missed; and
- Contact information for the local liaison, CWA Coordinator, and a brief description of the roles.

During the Best Interest Determination, every effort will be made by the relevant parties to reach an agreement regarding the appropriate school placement for children in foster care. However, if there is disagreement the final decision will be ceded to the CWA. This is because the CWA is able to assess both the non-educational factors and other components of the child's case plan.

Once a decision is made following a disagreement the CWA, will provide a written explanation of the resolution to all involved parties, demonstrating proof that its decision is in the child's best interest.

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5.3 Enrollment

The school selected for enrollment must immediately enroll any children in Foster Care. Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, (i.e. previous academic records, records of immunization, proof of residency, proof of guardianship, birth certificates), any unpaid school fees, lack of uniforms or clothing that conforms to the school's dress code or any factor related to the child's placement in Foster Care.

The liaison and other district personnel will coordinate the transfer of school records and contact the child's previous school to request school records within one (1) school day of receiving the requisite documents from the CWA related to the child's enrollment. Initial placement of a child whose records are not immediately available will be made based on the child's age and information gathered from the child, parent, and previous schools or teachers. If no immunization records are available, the school office will refer students to the Liaison to assist with obtaining these records from the previous school, state registries and/or community based clinics.

The liaison and other district personnel will ensure that all school records pertaining to a student transferring out of district are sent to the receiving school within ten (10) school days of the CWA's notification that a student in Foster Care is changing schools.

5.4 Services

The school must provide Children and youth in Foster Care services, for which they meet the relevant criteria, comparable to services offered to other students in the school, including but not limited to:

- Transportation;
- Educational services for which the student meets eligibility criteria, including special education, Title I, and related services and programs for English language learners;
- School nutrition programs;
- Vocational and technical education programs;
- Gifted and talented programs; and
- Before- and after-school programs

Transportation and Transportation Plans

At a foster parent or CWA's request, the school will immediately arrange and provide transportation to and from the School of Origin through an appropriate, cost-effective option. The Liaison will coordinate these arrangements with the local CWA. The school must provide the transportation for the entire time the child has a right to attend that school, as defined above, including during pending disputes and when making the *best interest of the child* determination. The length of the commute will only be considered when making the *best interest of the child* determination regarding potential harm to the child. Transportation disputes will not result in a child in Foster Care missing school. If such a dispute arises, the school will arrange transportation and immediately bring the matter to the attention of the local CWA and state authorities following the appropriate complaint procedures as detailed in this document.

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A child in foster care needing transportation will continue to receive this service for the duration of time the child is in foster care, through the end of the academic year to ensure that the child's educational stability is maintained.

The Charter District will coordinate and collaborate with the CWA to make an appropriate transportation plan that supports the student's school stability plan and is fair to the Charter District's taxpayers, consistent with the Charter District's obligations under the federal Fostering Connections Act.

The Charter District recognizes the CWA may have access to federal funds to support the student's school stability plan, including transportation costs. Therefore, when there are additional costs incurred by the Charter District to provide transportation to the school of origin the Charter District will first seek to have the CWA agree to provide that transportation through a separate contract or by reimbursing the Charter District. The Charter District will also consider sharing the additional cost with the CWA or absorbing the full of amount of the additional cost. Until such an agreement is reached and signed, the district will continue to fund and transport the child in foster care.

Title I

Children and youth in Foster Care are automatically eligible for Title I services. The school will reserve the necessary funds to provide services comparable to those provided to Title I students attending non-participating schools, including education related support services and removing barriers that prevent attendance as necessary through the provision of additional reasonable services after other funding sources have been exhausted. The Liaison and the Title I director at the NHA Service Center will develop the formula (based upon the per-pupil Title I expenditures) to use for determining the necessary funds to reserve.

The Title I director and the Liaison will ensure coordination between the Title I plan and the ESSA, including the academic assessment, reporting and accountability systems required by federal law and the U.S. Department of Education.

Educational Services

The school shall give evaluations of Children and youth in Foster Care suspected of having a disability priority and coordinate the evaluation with the student's prior and subsequent schools, as necessary, to ensure timely completion of a full evaluation. The school will immediately implement the child's Individualized Education Program (IEP), if available, and promptly conduct any necessary IEP meetings or re-evaluations. If complete records are not available, IEP teams will use good judgment in choosing the best course of action, balancing procedural requirements and the provision of services in an attempt to avoid any disruption in services.

Beginning in the 2017-2018 school year, and continuing thereafter, each NHA school's annual report card must include information on student achievement regarding State assessments, disaggregated by student status, to include students who are homeless, in foster care, and students with parents serving on active duty within the armed forces (ESEA Section 1111(h)(1)(C)(ii).

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5.5 Complaint and Dispute Resolution

The following steps and procedures should take place in resolving disputes regarding enrollment, school placement, or services.

Complaint

- A complaint is an oral or written and signed statement alleging the violation of a federal or state law, rule, or, regulation. The complaint must allege a violation that occurred not more than one (1) year prior to the date that the complaint is received, unless a longer period is reasonable because the violation is considered systemic or ongoing.
- Parents, teachers, administrators, or other concerned individuals or organizations may file a complaint (“Complainant”). Faculty and staff with knowledge of a complaint must refer the Complainant to the Liaison.
- The Complainant may submit the complaint in writing to the Liaison, using the Complaint Resolution Initiation Form. The Complainant may choose to initiate the complaint orally.

Role of School

- Immediately enroll the child in the school preferred by the person(s) bringing the complaint.
- Provide all educational services for which the child is eligible, pending resolution of the dispute.

Role of Liaison

- After receipt of the complaint, the Liaison, in collaboration with the local CWA, must provide a written explanation of the school placement decision and/or provided services to the Complainant and discuss the complaint with the Complainant. The Liaison, in collaboration with the CWA must provide a written proposed resolution or a plan of action to the Complainant within five (5) days of receipt of the complaint.
- If the Liaison does not resolve the dispute, the Complainant may forward it to the school principal. The Liaison must provide a written resolution to the parties within five (5) days of the discussion with the principal. The Complainant has a right to obtain assistance from advocates or attorneys in addressing a complaint.
- The Liaison will carry out the dispute resolution in an expeditious manner and will provide the Complainant these written procedures, including the appeal procedures outlined below.